MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2018/2019

UVT 2612 – ENVIRONMENTAL LAW

(All Sections / Groups)

26 OCTOBER 2018
Reading Time: 9:00 a.m. – 9:15 a.m.
(15 Minutes)
Answering Time: 9:15 a.m. – 12:15 p.m.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of **Two** pages with **Four** Questions only.

3. **Attempt Either Question 1A OR Question 1B. Questions Two to Four are compulsory.** All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are only allowed to bring in CLEAN AND ORIGINAL COPY of the following statutes into the exam venue:
   i) Environmental Quality Act 1974
   ii) International Trade in Endangered Species Act 2008
   iii) Local Government Act 1976
   iv) Petroleum and Electricity (Control & Supplies) Act 1974
   v) Wildlife Conservation Act 2010

   "Clean" is defined to include no tagging, no annotation either by the publisher or anyone else, and no erased marking. Highlighting and underlining are also prohibited.

5. Please write all your answers in the Answer Booklet provided.

ATTEMPT EITHER

QUESTION 1A

Sustainable development has its roots in ideas about sustainable forest management which were developed in Europe during the seventeenth and eighteenth centuries. Explain how the latter concept is practiced in Malaysia as a derivation of the former.

(TOTAL: 25 Marks)

OR

QUESTION 1B

Sustainable development has been described in terms of three domains i.e. the environment, the economy and society. Explain how this concept is practiced in Malaysia with regards to the production of energy.

(TOTAL: 25 Marks)

ATTEMPT ALL QUESTIONS

QUESTION 2

Mrs. Harris lives in a beautiful house by the sea. Her coastal reverie ended with a rude awakening last year when a company named Pet Pet Petroleum Sdn. Bhd. started installing an oil rig about 4 kilometres from her house. The installation has just ended and operations have commenced for about a month now. Her view of the sea from her house is now very much compromised. She no longer relishes enjoying lounging on her patio.

To make things worse, several months ago her new neighbours started burning grass clippings. When she approached them about it, they rudely stated that they were doing it within their private property and that it didn't affect her. The burning has been regular and it causes a thick black smoke to pass her house as it is downwind from her neighbours'. Recently, she discovered that her house furniture and curtains are collecting soot.

Yesterday, there was an accident in the oil rig that caused the drill to break and leak the oil. The oil has spread to an area of 10 kilometres square. Pet Pet Petroleum Sdn. Bhd. has been trying to clean the oil spill up but they seem ill equipped for the situation.

Advise Mrs. Harris as to her legal options and how the neighbours and Pet Petroluem Sdn. Bhd. could be liable under the relevant environmental laws in Malaysia.

(TOTAL: 25 Marks)

Continued...

QUESTION 3

Rob enjoys travelling to Hong Kong; he does so every year. Last week, he was stopped by the authorities at the Kuala Lumpur International Airport due to suspicious behaviour.

The authorities checked his luggage to check if he was carrying drugs with him. To their surprise, his luggage was filled with 15 rolls of Blood Python skin, 10 kilograms of Pangolin skin, 2 Malayan Tapir hides and some canines in a bottle. He was arrested.

The authorities then carried out an investigation which led them to his house where they found a menagerie of protected species of birds; a Serow; some cobras; a pair of immature *orang utan;* the carcasses of a female *orang utan* and two tigers; three Malayan Tapir hides; and 10 cages, 4 snares and a tiger trap. They also found a website from which he sold birds. The authorities instructed him to present the relevant permits and licenses; he gave them the license he had to show his ownership of his pet Labrador.

It has been discovered that the teeth belong to tigers.

Advise Rob on his possible liabilities.

(TOTAL: 25 Marks)

QUESTION 4

Explain with relevant authorities the role communities can play in bringing infringements to environmental ideals and principles to court.

(TOTAL: 25 Marks)

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